

## EXHIBIT "A"

STATE OF MONTANA  
BEFORE THE DEPARTMENT OF NATURAL RESOURCES  
AND CONSERVATION

IN THE MATTER OF APPLICATION  
FOR BENEFICIAL WATER USE  
PERMIT NO. 2680-s40G  
BY OLE AND HAROLD JENSEN

**FILMED**  
FINDINGS OF FACT, CONCLUSIONS OF  
LAW, AND ORDER  
APR 6 1990

The Proposed Findings of Fact, Conclusions of Law, and Order in this matter, as entered on October 10, 1975, by the Hearing Examiner, are hereby adopted as the Final Findings of Fact, Conclusions of Law, and the Final Order.

ORDER

1. The Applicants' permit is granted, allowing the appropriation of 2 acre-feet per annum of water to be impounded in a pit reservoir in a closed area at a point in the NW $\frac{1}{4}$  NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 22, Township 37 North, Range 5 East.

2. The Applicants' permit is granted subject to all prior existing water rights.

Done this 3<sup>rd</sup> day of November, 1975.

*Erin Ferris*  
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Administrator, Water Resources Division  
DEPARTMENT OF NATURAL RESOURCES  
AND CONSERVATION

NOTICE: Section 89-8-100, R.C.M. 1947, provides that a person who is aggrieved by a final decision of the Department is entitled to a hearing before the Board of Natural Resources and Conservation. A person desiring a hearing before the Board pursuant to this section must notify the Department in writing within ten (10) days of the final decision.

Address: Department of Natural Resources and Conservation  
Natural Resources Building  
32 South Ewing  
Helena, MT 59601

**CASE # 2680**

BEFORE THE DEPARTMENT  
OF  
NATURAL RESOURCES AND CONSERVATION  
OF THE STATE OF MONTANA"

IN THE MATTER OF APPLICATION FOR )  
BENEFICIAL WATER USE PERMIT 2680- )  
S40G, OLE AND HAROLD JENSEN. )

PROPOSAL FOR DECISION

Pursuant to the Montana Water Use and Administrative Procedure Act after due notice a hearing on objections to the above-named application was held April 15, 1975 at Chester, Montana. Mr. John Warner, Esq., of Havre, Montana, counsel for the objectors appeared at the hearing and withdrew the objections to the above-named application.

PROPOSED ORDER

1. That the applicant's permit be granted allowing the appropriation of 2 acre-feet per annum of water to be impounded in a pit reservoir in a closed basin at a point in the NW 1/4 NW 1/4 SE 1/4 of Section 22, Township 37 N, Range 58 E.
2. That the applicant's permit be granted subject to all prior existing water rights.

NOTICE

This is a Proposed Order and will become final when accepted by the Administrator, Water Resources Division, Department of Natural Resources and Conservation. Written exceptions to this Proposed Order may be filed with the Administrator within ten (10) days upon receipt of same. Upon receipt of any written exceptions, opportunity will be afforded to file briefs and make oral arguments before the Administrator, Water Resources Division, Department of Natural Resources and Conservation.

DATED this 10<sup>th</sup> day of October, 1975.

CASE # 2680

*James H. Lewis*  
HEARING EXAMINER